

Exhibit D

<p style="text-align: right;">Page 1</p> <p>IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI EASTERN DIVISION MICHAEL POWERS, et al., Plaintiffs, VS. Cause No. 4:16-cv-1299 CITY OF FERGUSON, et al., Defendants.</p> <hr/> <p>Deposition of UMAR LEE August 29, 2017 1:00 p.m. Taken at: Lewis Rice, LLC 600 Washington Avenue St. Louis, Missouri Nancy Prange, CCR, CSR, Notary Public</p>	<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES OF COUNSEL: 2 3 FOR THE PLAINTIFFS: 4 Mr. Alex R. Lumaghi 5 Dowd & Dowd 6 211 North Broadway, Suite 4050 7 St. Louis, MO 63102 8 (314) 621-2500 9 alex@dowdlaw.net 10 11 FOR THE DEFENDANTS: 12 Mr. Ronald A. Norwood 13 Lewis Rice, LLC 14 600 Washington Avenue, Suite 2500 15 St. Louis, MO 63101 16 (314) 444-7600 17 rnorwood@lewisrice.com 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 2</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE EASTERN DISTRICT OF MISSOURI 3 EASTERN DIVISION 4 5 MICHAEL POWERS, et al., 6 7 Plaintiffs, 8 9 vs. No. 4:16-cv-1299 10 11 CITY OF FERGUSON, et al., 12 13 Defendants. 14 15 Deposition of UMAR LEE, taken on behalf of the 16 Defendants, at the offices of Lewis Rice, LLC, 600 17 Washington Avenue, in the City of St. Louis, State 18 of Missouri, on the 29th day of August, 2017, 19 before Nancy Prange, CCR MO #778, CSR IL 20 #084-004426, and Notary Public. 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 INDEX 2 PAGE 3 Examination by Mr. Norwood 5 4 5 EXHIBITS 6 7 NUMBER DESCRIPTION PAGE 8 9 Defendant's Ex. 13 Rule 26 Disclosures 49 10 Defendant's Ex. 14 Interrogatories 56 11 Defendant's Ex. 19 Invoices 57 12 Defendant's Ex. 15 Photograph 58 13 Defendant's Ex. 16 Twitter Tweets 58 14 Defendant's Ex. 18 Twitter Tweets 59 15 Defendant's Ex. 19 Twitter Tweets 62 16 17 (Original exhibits were retained by counsel.) 18 19 20 21 22 23 24 25</p> <div data-bbox="1159 1598 1446 1793" style="border: 2px solid black; padding: 10px; text-align: center; margin-top: 20px;"> <p>Exhibit D</p> </div>

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1 walk to my car, me and Ryan, they swooped on us,
2 they ran at us. The next thing you know they had
3 their, you know, their arms around me, and I assume
4 Ryan, and arrested us. The girls, Liz and the late
5 Meghan Flannery --

6 Q When you say the late --

7 A She passed away about three or four months
8 ago in a car accident.

9 Q Okay.

10 A And the other women who I can't remember,
11 they were already in their vehicle when the police,
12 you know, came to their vehicle and ordered them to
13 get out.

14 Q But let me -- before we go further. I'm just
15 trying to understand. So there was a directive
16 several times for people to disburse, there was some
17 resistance by the protestors?

18 A Yes.

19 Q You in a sort of informal way suggested
20 people to sit down?

21 A Yes.

22 Q And they did sit down?

23 A Yes.

24 Q How long were you all sitting down?

25 A It was a matter of minutes. I don't know

1 throwing bottles or looting or burning. These are
2 people out in the community trying to ascertain
3 what's happening. So, no, I don't think it had
4 anything do with that.

5 Q All right. By the time that protestors had
6 left you all were the only ones there?

7 A Yes.

8 Q And you said police were --

9 A So there wasn't no protest. We was the only
10 ones there.

11 Q And this is -- right now what time is it,
12 1:00 a.m.?

13 A Something like that.

14 Q And so they move on you all?

15 A Yes. After we were moving towards our
16 vehicles.

17 Q Did you move in response to them coming or
18 were you already moving?

19 A We were already moving.

20 Q All right. When they were moving toward you,
21 who was it that was moving towards you?

22 A Who?

23 Q Which police?

24 A St. Louis County.

25 Q So the St. Louis County Police moved on you

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1 how long it was, but it was a matter of minutes.

2 Q In the meantime the protestors were
3 ultimately leaving?

4 A They were ultimately leaving, yeah.

5 Q All right.

6 A So nobody was there but us when the arrests
7 were made.

8 Q When you say "us" you mentioned -- how many
9 people total?

10 A Well, it would have been myself, Ryan Frank,
11 Michael Powers, Liz Peinado, Meghan Flannery. There
12 was another woman, I don't know her name, but as I
13 recall six of us.

14 Q All right. And then do you know why were you
15 arrested?

16 A That's a good question because, you know, I
17 have no idea.

18 Q Do you think it was because you didn't leave
19 when they ordered you to leave?

20 A No. I don't think so because really I think
21 that day journalists were being arrested, national
22 journalists, Washington Post, Huffington Post. I've
23 had pieces in the Huffington Post as well. Antonio
24 was arrested. None of these people had anything to
25 do with any kind of uncivil confrontations or

1 all?

2 A Um-huh.

3 Q Is that a yes?

4 A Yes.

5 Q And they are the ones who actually arrested
6 you?

7 A Correct.

8 Q All right. And what happened then once you
9 were arrested with the others?

10 A Well, we were cuffed and we were put into
11 the van.

12 Q What kind of van?

13 A You know, I'm not 100 percent certain, but
14 I'm almost certain it was a Ferguson Police van.

15 Q How big was the van? How many passengers
16 could it hold?

17 A It wasn't a passenger van. It was a police
18 van so it had like a row of seats on each side. So,
19 I don't know, maybe eight prisoners or something
20 like.

21 Q Okay.

22 A And the van drove around and we couldn't see
23 outside so I wasn't quite certain where we were
24 going. I guess that was a tactic they were using
25 because we ended right across the street from where

10 (Pages 37 to 40)

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